

2. Persons of Canada, on the one hand, and persons of the Republic of Kazakhstan, on the other hand, may agree to settle disputes arising out of commercial transactions by arbitration.

3. Such persons, involved in disputes arising out of individual commercial transactions may agree to arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL), adopted in 1976.

4. Without prejudice to their ability to decide otherwise, the persons party to commercial transactions may agree on a place for conducting the arbitration in a country, other than Canada or the Republic of Kazakhstan, that is a party to the UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done in New York on June 10, 1958.

5. Nothing in the present Agreement shall be interpreted in such a way as to hamper, nor shall either Party prevent, the parties to commercial transactions from agreeing on any other form of arbitration for the settling of commercial disputes, which they mutually prefer and which, in their opinion, best answers their commercial interests.

6. The persons of Canada and of the Republic of Kazakhstan shall enjoy access to the courts of the other Party on the same basis as persons of any third country.

ARTICLE XIII

NATIONAL SECURITY

The provisions of this Agreement shall not limit the right of either Party to take any action for the protection of its national security interests.

ARTICLE XIV

OTHER EXCEPTIONS

Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries